

NOVEMBER 06 LEASE SALE

DNA

Documentation of Land Use Plan Conformance & NEPA Adequacy (DNA)

U.S. Department of the Interior
Bureau of Land Management (BLM)

A. BLM Office: Vernal Utah Field Office

Lease/Serial/Case File No.

Proposed Action Title/Type: Competitive Oil and Gas Leasing

Location of Proposed Action: Duchesne, Daggett, and Uintah Counties, Utah BLM

Description of the Proposed Action: The Bureau of Land Management, Vernal Field Office, recommends the offering of 62 parcels in Duchesne, Daggett, and Uintah Counties, Utah, for oil and gas leasing in a competitive lease sale to be held in November 2006.

The parcels recommended for sale are as follows:

UT1106-002, UT1106-003, UT1106-170, UT1106-171, UT1106-172, UT1106-175, UT1106-176, UT1106-177, UT1106-238, UT1106-246, UT1106-247, UT1106-248, UT1106-251, UT1106-252, UT1106-253, UT1106-254, UT1106-255, UT1106-256, UT1106-257, UT1106-258, UT1106-259, UT1106-260, UT1106-261, UT1106-262, UT1106-265, UT1106-266, UT1106-267, UT1106-269, UT1106-271, UT1106-272, UT1106-273, UT1106-274, UT1106-275, UT1106-277, UT1106-278, UT1106-279, UT1106-280, UT1106-281, UT1106-282, UT1106-283, UT1106-288, UT1106-290, UT1106-291, UT1106-292, UT1106-293, UT1106-294, UT1106-295, UT1106-300, UT1106-301, UT1106-302, UT1106-303, UT1106-305, UT1106-306, UT1106-307, UT1106-308, UT1106-323, UT1106-324, UT1106-325, UT1106-326, UT1106-327, UT1106-328, UT1106-329. Each parcel was reviewed to determine if the existing NEPA analysis is adequate to allow for the inclusion of the parcels in the sale. Resource concerns for each parcel were researched by Vernal Field Office Specialists. A consolidated resource review is included as Attachment 2. The recommended parcels and attached stipulations and lease notices are found in Attachment 1. Additional lease notices have been added to all of the parcels. The leases would be offered as open to leasing, subject to seasonal or other minor constraints, or open to leasing, subject to "no surface occupancy" or other major constraints.

Attachment 1 of the DNA contains a description of the lease parcels and a listing of stipulations and notices applicable to each parcel.

If a parcel is not taken by competitive bidding, then it may be taken by a non-competitive sale for two (2) years after the competitive offer. A lease may be held for ten (10) years, after which the lease would expire unless oil or gas are produced in paying quantities. A producing lease would be held indefinitely by paying production.

B. Conformance with the Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans

LUP Name:

Environmental Analysis Record Oil and Gas Leasing Program Vernal District Office Utah,
approved June 1975

Diamond Mountain Resource Area Resource Management Plan and Environmental Impact
Statement (DMRMP/EIS), approved December 21, 1994

NOVEMBER 06 LEASE SALE

DNA

Book Cliffs Resource Area Resource Management Plan and Environmental Impact Statement (BCRMP/EIS), approved June 3, 1985

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

- Environmental Analysis Record on page VIII-1 found no significant adverse impacts to the environment from leasing, and recommended that an environmental impact statement was not necessary.
- The Record of Decision (ROD) for the DMRMP/EIS in Chapter 2, on page 2-30 and Appendix 2 identifies those specific lands within the Diamond Mountain Resource Area that are available for leasing. The DRMP/EIS' Appendix 2 contains pertinent stipulations and lease notices.
- The Record of Decision (ROD) for the BCRMP/EIS in Chapter 2, on pages 7 through 24, identifies those specific lands within the Book Cliffs Resource Area that are available for leasing.

C. Identify applicable NEPA document(s) and other related documents that cover the proposed action

List by name and date all applicable NEPA documents that cover the proposed action.

- Environmental Analysis Record Oil and Gas Leasing Program Vernal District Office Utah, approved June 1975
- Diamond Mountain Resource Area Resource Management Plan and Environmental Impact Statement (DMEIS), 1993
- Book Cliffs Resource Area Resource Management Plan and Environmental Impact Statement (BCEIS), 1985.
- Environmental Assessment for Oil and Gas Leasing in the Book Cliffs Resource Area, UT-080-89-002, 1988.
- Supplement to Environmental Assessment for Oil and Gas Leasing in the Book Cliffs Resource Area, UT-080-89-002, 1989.
- Draft Vernal Resource Management Plan and Environmental Impact Statement UT-GI-04-001-1610, 2005.

List by name and date other documentation relevant to the proposed action (e.g., source drinking water assessments, biological assessments, biological opinion, watershed assessment, allotment evaluation, rangeland health standard's assessment and determinations, and monitoring report).

REVIEW

EPA Environmental Justice Map
State of Utah Sensitive Species List
Interdisciplinary Team Review
Attachment 2, Consolidated Resource Review

DATE

October 4, 2006
2001
August 21, 2006
September 15, 2006

D. NEPA Adequacy Criteria

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed?

 X Yes

NOVEMBER 06 LEASE SALE
DNA

_____ No

Documentation of answer and explanation:

Leasing of the lands described in Attachment 1 was analyzed in the Environmental Analysis Record, BCRMP/EIS and the DMRMP/EIS. The proposed action - leasing for oil and gas in the November 2006 sale - is substantially the same as the proposed action analyzed in each of the above environmental documents. Public land would be offered for leasing, and exploration and development for oil and gas resources may occur dependent on specific approval by the BLM and dependent on site-specific NEPA analysis. If land is leased, a lessee would be afforded rights to explore for and to develop oil and gas, subject to the lease terms, regulations, and laws.

The Environmental Analysis Record in Chapter 3, page III-1 described the affected environment. Chapter 4 page IV-1 describes the impacts of the proposed action and other alternatives. It considered both the no leasing and leasing alternatives.

The BCRMP/EIS, in Chapter 3, page 93, of the Environmental Impact Statement (EIS) described the affected environment. Chapter 4, page 205, describes the impacts of the proposed action and other alternatives. The ROD, Chapter 2, pages 7 through 24, provides the decision to lease.

The DMRMP/EIS in Chapter 3 describes the affected environment. Chapter 4 describes the impacts of the proposed action and other alternatives. The ROD for the DMRMP/EIS, in Chapter 2, page 2-30 and Appendix 2, identifies those specific lands within the Diamond Mountain Resource Area that are available for leasing. Appendix 2 contains pertinent stipulations and lease notices.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, resource values and circumstances?

 X Yes

_____ No

Documentation of answer and explanation:

The 1975 Environmental Analysis Record analyzed the impacts of oil and gas leasing in the resource area under two alternatives. The two alternatives were leasing and no leasing.

The BCRMP/EIS analyzed the impacts of oil and gas leasing for all lands in the resource area under four different alternatives. The four alternatives ranged from emphasizing oil and gas exploration and development to minimizing oil and gas exploration and development with varying degrees of exploration and development activities in between and varying stipulations (restrictions) for each alternative. The Current Management Alternative, or No Action Alternative, was also analyzed. The Balanced Use Alternative provided for the development of non-renewable resources while protecting critical surface resources. This alternative was the BLM's Proposed Action and Preferred Alternative.

The DMRMP/EIS analyzed the impacts of oil and gas leasing on all lands in the resource area under five different alternatives. The five alternatives ranged from emphasizing oil and gas exploration and development to minimizing oil and gas exploration and development with varying degrees of exploration and development activities in between varying stipulations (restrictions) for each alternative. The No Action Alternative was also analyzed. The Proposed Plan (Alternative E) provided for the leasing and

NOVEMBER 06 LEASE SALE

DNA

development of resources while identifying the measures necessary to protect or enhance environmental values.

The alternatives analyzed, and the range of alternatives, are still appropriate for this action.

3. Is the existing analysis adequate and are the conclusions adequate in light of any new information or circumstances (including, for example, riparian proper functioning condition [PFC] reports; rangeland health standards assessments; Unified Watershed Assessment categorizations; inventory and monitoring data; most recent Fish and Wildlife Service lists of threatened, endangered, proposed, and candidate species; most recent BLM list of sensitive species)? Can you reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action?

 X Yes

 No

Documentation of answer and explanation:

The Vernal Field Office (VFO) reviewed the preliminary lease parcels through an interdisciplinary (ID) team approach. Resource information provided by agencies or the public has been reviewed by the appropriate resource specialist. Resources typically analyzed in existing NEPA documents include recreation, water, soils, wildlife, cultural resources, visual resources, etc. Review by the specialist determines if the information provided about resources for preliminary parcels is new and significant.

The VFO received the draft November 2006 competitive oil and gas lease sale parcel list on August 3, 2006. Copies of the complete list were provided to the interdisciplinary team on August 15, 2006 to complete data review. On August 21, 2006, the ID team of resource specialists, identified in Part E of this DNA, met to review the preliminary lease parcels. As part of the review process, the alternatives analyzed in the Environmental Analysis Record for Oil and Gas Leasing in Vernal, the BCRMP/EIS and the DMRMP/EIS were reviewed for resource impact from oil and gas leasing. Other manuals and policies were reviewed.

Individual members of the ID team reached conclusions regarding the adequacy of existing NEPA documentation. The review reports and rationale documented by these specialists are found in Attachment 2. The BLM VFO management then conducted an additional multiple-use review to further consider the significance of new information and circumstances in light of the existing oil and gas categories, the required stipulations, and the relevance of the information to the Draft Vernal RMP revision. The results of these reviews for the parcels recommended for sale in the November 2006 lease sale are presented below.

The BLM VFO management considered the following to determine if the existing NEPA analysis is adequate for the leasing of the parcels listed in Attachment 1:

- ✓ Environmental Analysis Record
- ✓ The existing BCRMP/EIS and ROD
- ✓ The existing DMRMP/EIS and ROD
- ✓ Applicable laws, regulations and BLM policy
- ✓ Washington Office Instruction Memorandum No. 2004-110 "Fluid Mineral Leasing & Related Planning and NEPA Processes" and WOIM No. 110 Change 1.
- ✓ Interdisciplinary Team Review Attachment 2
- ✓ Leasing categories
- ✓ The Draft Vernal RMP

NOVEMBER 06 LEASE SALE DNA

The Area of Potential Effect is the lease boundary. Of the parcels reviewed, the VFO archaeologist determined that leasing would have no adverse effect on cultural resources or historic properties due to regulatory safeguards that are in place to protect significant historic properties, such as: site specific cultural surveys which would be conducted prior to lease development as required by Section 106 of 36 CFR 800 and the National Historic Preservation Act of 1966 (as amended). Section 106 consultation was begun on September 7, 2006. On September 28, 2006 a response letter was received from SHPO concurring with the finding of no adverse effect. Also, in accordance with Washington Office Instruction Memorandum (WOIM) No. 2005-003, the Cultural Resources Stipulation has been added to all recommended lease parcels.

On August 11, 2006, certified consultation letters were sent to the following Tribes: Confederated Tribes of the Goshute Reservation, Laguna Pueblo Tribe, Santa Clara Pueblo Tribe, Zia Pueblo Tribe, Hopi Tribe, Navajo Nation, Eastern Shoshone Tribe, Northwestern Band of the Shoshone Nation, Ute Indian Tribe, Southern Ute Tribe, White Mesa Ute Tribe, and the Ute Mountain Ute Tribe. The letter requested comments to be provided to the VFO within 30 days after receipt of the letter. On August 30, 2006, the Pueblo of Laguna Tribe responded stating that the proposed undertakings will not have an affect at this time. However, in the event that any new archaeological sites are discovered and any artifacts are recovered, they would like to be notified to review items and if possible furnish photographs of items. On September 11, 2006, the Pueblo of Santa Clara Tribe responded by stating that they are sure that TCP's are within the area and new cultural resources might be uncovered. They will be awaiting a copy of a survey report on identification and evaluation of historical and archaeological properties in and near the project area. As of October 4, 2006 no other concerns pertaining to leasing of the preliminary parcels have been received. Consultation is considered to be closed.

None of the parcels offered for sale are within a designated Wilderness Study area, Wilderness Inventory Area or an area determined to have a reasonable probability to contain wilderness characteristics.

A range of recreational opportunities were analyzed in the DMRMP/EIS. Page 3.42 of the Final DMRMP/EIS (1993) states that Recreation Opportunity Spectrum (ROS) classes were established as a result of an inventory conducted in 1980, and updated in 1990. Page 77 of the Final BCRMP/EIS (1984) states that dispersed recreation opportunities would continue to be provided for the public. Page 217 of the Final BCRMP/EIS states that under the Balanced Use Alternative, there would be sufficient undeveloped areas to accommodate the increase in dispersed outdoor recreation activities. All parcels were reviewed to make sure that applicable lease notices and stipulations relating to recreation, as identified in the BCROD and DMROD, were attached to the parcels.

As a component of naturalness, visual resources were analyzed on page 153 of the Final BCRMP/EIS, which states that many projects would have short-term impacts (3 to 5 years) that may exceed the management objectives for a particular VRM class. These impacts would not be considered significant, provided the projects conform to management objectives in the long-term (10-20 years) following implementation. Page 2.18 of the Final DMRMP/EIS (1993) states that the resource area was classified for VRM in 1979. The management decision was to design all visual intrusions to maintain or enhance the areas designated VRM classification.

Surface specialists took a hard look at special status species and wildlife. The Utah BLM statewide sensitive species list (Instruction Memorandum No. UT. 2001-081) was used to identify sensitive species. The Endangered Species Act Section 7 Consultation Stipulation, as directed in the Washington Office Instruction Memorandum No. 2002-174, has been added to each parcel to provide protection for special status species. In addition, specific lease notices have been added to each parcel where special status

NOVEMBER 06 LEASE SALE
DNA

species are likely to be encountered. Management concludes after review of the existing LUP and Attachment 2, that the NEPA is adequate for the leasing of the parcels.

Consultation with the U. S. Fish and Wildlife Service (FWS) was initiated by the BLM Vernal Field office on September 29, 2006. A letter was received from FWS on October 6, 2006 stating that they concur with Vernal's finding of not likely to adversely affect: Ute ladies-tresses, Uintah Basin hookless cactus, Graham's penstemon, bald eagle, Mexican spotted owl, Colorado pikeminnow, humpback chub, bonytail, razorback sucker, and designated critical habitat for the four endangered Colorado River fish.

After careful consideration of the above-listed information, it has been determined that the existing NEPA analysis is adequate for leasing of the parcels identified in Attachment 1. The prescriptions identified as stipulations and lease notices attached to each parcel will provide adequate protection for the resources reviewed. Also, applicable laws and policies provide additional protection.

No parcels with wild and scenic river eligibility determinations and assigned a classification are included.

Potential ACECs identified in the draft Vernal RMP were reviewed to determine if the identified relevant values constituted new information. GIS was used to identify parcels within potential ACECs considered in Alternative C (has the most conservation potential) of the draft RMP that would be managed as either Category 3 or Category 4 for oil and gas leasing as mitigation for identified relevant values. Recommendations were made in the ACEC report for the deferral of the leasing of these affected areas.

4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?

 X Yes

 No

Documentation of answer and explanation:

The methodology and approach used in the analysis of all alternatives for the Environmental Analysis Record, BCRMP/EIS, DMRMP/EIS, and Vernal Draft RMP/EIS identified under Part D.2, are still appropriate for the current proposed action. The methods of extractions, land requirements for exploration and development have not changed substantially since the documents were completed.

Assumptions made in the 1985 Reasonably Foreseeable Development (RFD) Scenario and analyzed in the EIS associated with the BCRMP are still valid. The BCRMP/EIS analyzed impacts of up to 480 acres of new surface disturbance per year from wells being drilled outside existing units and field development project areas. The DMRMP/EIS analyzed five (5) oil and gas exploration regions in the RFD Scenario that is still valid. The RFD forecasted drilling of 470 wells per year outside existing units and field development project areas. The DMRMP/EIS analyzed impacts from the drilling of the wells on the parcels recommended for leasing. The RFD for the DMRMP/EIS has not been exceeded.

5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document(s) sufficiently analyze site-specific impacts related to the current proposed action?

 X Yes

 No

NOVEMBER 06 LEASE SALE
DNA

Documentation of answer and explanation:

Impacts from the current proposed leasing and subsequent drilling activities would be basically the same as those analyzed in the EISs associated with the BCRMP, DMRMP, and Vernal Draft RMP/EIS. This is because the proposed action is essentially the same and the existing resource conditions and values have not changed since analysis in the EISs. The EISs used a somewhat general analysis of impacts, but these were tied to specific resources and values as present in the specific areas. Leasing categories were established dependent on resources and values in particular areas and stipulations were designed for each of these categories to protect these resources and values. The RFDs further defined expected impacts to specific exploration and production regions. These analyses are therefore site specific and allow specific location and identification of potential impacts of the current leasing proposal.

6. Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current proposed action are substantially unchanged from those analyzed in the existing NEPA document(s)?

 X Yes

 No

Documentation of answer and explanation:

As discussed in the answers to Questions 4 and 5 above, the EISs and RFDs for the BCRMP, and DMRMP addressed reasonably foreseeable impacts based on a reasonably foreseeable level of oil and gas activity. This included analysis of the potential collective and cumulative impacts of oil and gas leasing as discussed in Question 4. Because the reasonably foreseeable level of oil and gas activity analyzed previously is still appropriate and additional connected, cumulative, or similar actions are not anticipated; potential cumulative impacts are substantially unchanged from those analyzed in the EISs and RFDs.

7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

 X Yes

 No

Documentation of answer and explanation:

The public involvement and interagency review procedures and findings made through the development of the Environmental Analysis Record, Diamond Mountain Resource Area RMP/EIS, the Book Cliffs Resource Area RMP/EIS, and the Vernal Draft RMP/EIS are adequate for the proposed lease sale. During the development of the documents listed above, public workshops and meetings and public comments were received. All comments were responded to in the finalized documents.

On August 11, 2006, certified consultation letters were sent to the following Tribes: Confederated Tribes of the Goshute Reservation, Laguna Pueblo Tribe, Santa Clara Pueblo Tribe, Zia Pueblo Tribe, Hopi Tribe, Navajo Nation, Eastern Shoshone Tribe, Northwestern Band of the Shoshone Nation, Ute Indian Tribe, Southern Ute Tribe, White Mesa Ute Tribe, and the Ute Mountain Ute Tribe. The letter requested comments to be provided to the VFO within 30 days after receipt of the letter. On August 30, 2006 the Pueblo of Laguna Tribe responded stating that the proposed undertakings will not have an affect at this time. However, in the event that any new archaeological sites are discovered and any artifacts are recovered, they would like to be notified to review items and if possible furnish photographs of items. On

NOVEMBER 06 LEASE SALE
DNA

September 11, 2006 the Pueblo of Santa Clara Tribe responded by stating that they are sure that TCP's are within the area and new cultural resources might be uncovered. They will be awaiting a copy of a survey report on identification and evaluation of historical and archaeological properties in and near the project area. On October 6, 2006 a response letter was sent back to the Pueblo of Santa Clara Tribe stating that no on-the-ground class III surveys were done but a class I file search was done. Leasing is the act of conveying the right to develop minerals. There is no surface disturbance associated with the act of leasing. When APDs are submitted they are required to be reviewed prior to surface disturbance. As part of the APD review an on the ground 100% cultural survey will be completed. If cultural resources are found, which may be a TCP, and then additional consultation will be conducted with tribes. As of October 4, 2006 no other concerns pertaining to leasing of the preliminary parcels have been received. Consultation is considered to be closed.

Consultation with the U. S. Fish and Wildlife Service (FWS) was initiated by the BLM Vernal Field office on September 29, 2006. A letter was received from FWS on October 6, 2006 stating that they concur with Vernal's finding of not likely to adversely affect: Ute ladies-tresses, Uintah Basin hookless cactus, Graham's penstemon, bald eagle, Mexican spotted owl, Colorado pikeminnow, humpback chub, bonytail, razorback sucker, and designated critical habitat for the four endangered Colorado River fish.

On August 23, 2006 a letter was sent to Ashley National Forest providing an opportunity for the forest to coordinate on any concerns they may have in regards to parcel 002. This parcel lies adjacent to lands managed by Ashley National Forest. As of October 4, 2006 no response has been received from Ashley National Forest.

E. Interdisciplinary Analysis: Identify those team members conducting or participating in the preparation of this worksheet.

Name	Title	Resource Represented
Kim Bartel	Outdoor Recreation Planner	ACECs
Chuck Patterson	Outdoor Recreation Planner	Recreation, VRM, Wild and Scenic Rivers
Stephanie Howard	Environmental Coordinator	Environmental Justice, Air Quality
Holly Villa	Natural Resource Specialist	LUP review, farmlands
Amy Torres	Wildlife Biologist	Special Status Animal Species, Wildlife
John Mayers	Geologist	Paleontology
Holly Villa	Environmental Scientist	LUP review, farmland, Wilderness Areas, Wilderness Study Areas
Blaine Phillips	Archaeologist	Cultural Resources, Native American Religious Concerns,
Merlin Sinfield	Engineering Technician	Hazardous and Solid Wastes
Charles Sharp	Natural Resource Specialist	Special Status Plant Species, Invasive, Non-native Plant Species
Dylan Tucker	Natural Resource Specialist	Soils, Watershed
Karl Wright	Natural Resource Specialist	Floodplains, Wetlands, Riparian

The results of the ID team reviews are documented in Attachment 2.

NOVEMBER 06 LEASE SALE
DNA

F. Mitigation Measures: List any applicable mitigation measures that were identified, analyzed, and approved in relevant LUPs and existing NEPA document(s). List the specific mitigation measures or identify an attachment that includes those specific mitigation measures. Document that these applicable mitigation measures must be incorporated and implemented.

The parcels recommended for leasing are listed in Attachment 1 with applicable mitigation measures. Additionally, in accordance with Washington Office Instruction Memorandum (WOIM) No. 2002-174, the Endangered Species Act Section 7 Consultation Stipulation has been added to all recommended lease parcels. In accordance with Washington Office Instruction Memorandum (WOIM) No. 2005-003, the Cultural Resources Stipulation has been added to all recommended lease parcels.

CONCLUSIONS

Based on the review documented above, I conclude that:

Plan Conformance:

- ☐ This proposal conforms to the applicable land use plan.
- ☐ This proposal does not conform to the applicable land use plan

Determination of NEPA Adequacy

- ☐ The existing NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA.
- ☐ The existing NEPA documentation does not fully cover the proposed action. Additional NEPA documentation is needed if the project is to be further considered.

_____/s/ Jerry Kenczka
Signature of the Responsible Official

_____**10/6/2006**
Date

Attachments – 2
Attachment 1, Vernal Preliminary Parcel List
Attachment 2, Consolidated Resource Review